

Subject: Re: Liability Issues

From: Kevin James <kevin.james@lacity.org>

Date: 09/11/2014 11:18 AM

To: Donald Duckworth <duckworth.donald@gmail.com>

Don,

I continue to work with the City Attorney's office and the City's risk managers to obtain the indemnification provision we've discussed in the past in exchange for the BIDs repairing of sidewalks within their boundaries.

It will be time for an update meeting in a couple of weeks.

Best,

Kevin

On Thu, Sep 11, 2014 at 10:35 AM, Donald Duckworth

<duckworth.donald@gmail.com> wrote:

I was thinking more about the liability issue we discussed last night. At the end of the day, there may be no way to convince the City's risk management people to do anything different than the past. If Councilman Bonin had asked for and followed this kind of guidance, he would not have led the way for City action on fracking or minimum wage reform or any number of other significant policy improvements. After all, couldn't such actions generate new liability? Someone could sue the City for heavens sake!

If the City policy is to improve the quality of life in our communities by making our sidewalks walk-able and safe, help will be needed. One way to gaining financial and community assistance is by providing an incentive for community and property owner participation. This incentive is provided by holding harmless and indemnifying those that undertake repairs that have been permitted, inspected, and approved by the City. These repairs, after all, are now a City responsibility.

What do you think?

--
Kevin James, President
Board of Public Works
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